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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE UNDER THE
POOLING AND SERVICING AGREEMENT
RELATING TO IMPAC SECURED ASSETS
CORP., MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-5,

Plaintiff,

vs.

DESERT GARDEN HOMEOWNERS
ASSOCIATION, INC.; and ALESSI &
KOENIG, LLC,

Defendants.

Case No.: 2:16-cv-00687-JAD-BNW

**STIPULATION AND ORDER OF
DISMISSAL OF CLAIMS WITH
PREJUDICE**

ECF No. 33

Plaintiff Deutsche Bank National Trust Company, as Trustee Under the Pooling and Servicing Agreement Relating to IMPAC Secured Assets Corp., Mortgage Pass-Through Certificates, Series 2006-5 (**Deutsche**) and defendant Desert Garden Homeowners Association (**Desert Garden**), being the only parties to have appeared in this matter, and based on a settlement agreement reached by the parties, stipulate that all BANA's claims against Desert Garden in this litigation shall be dismissed with prejudice under Fed. R. Civ. P. 41(a)(1)(A)(ii).

...

Each party shall bear its own fees and costs.

DATED 29th day of May, 2019

<p>AKERMAN LLP</p> <p><u>/s/ Jamie K. Combs</u> MELANIE D. MORGAN, ESQ. Nevada Bar No. 8215 JAMIE K. COMBS, ESQ. Nevada Bar No. 13088 AKERMAN LLP 1635 Village Center Cir., Suite 200 Las Vegas, NV 89134 Telephone: (702) 634-5000 Facsimile: (702) 380-8572 <i>Attorneys for Plaintiff</i></p>	<p>LIPSON NEILSON, P.C.</p> <p><u>/s/ Peter E. Dunkley</u> PETER E. DUNKLEY, ESQ. Nevada Bar No. 11110 9900 Covington Cross Drive, Suite 120 Telephone: (702) 382-1500 Facsimile: (702) 382-1512</p> <p><i>Attorneys for Defendant Desert Garden Homeowners Association</i></p>
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ORDER

Based on the parties' stipulation [ECF No. 33] and good cause appearing, IT IS HEREBY ORDERED that THIS ACTION IS DISMISSED with prejudice, each side to bear its own fees and costs. The **Clerk of Court** is directed to **CLOSE THIS CASE**.


U.S. District Judge Jennifer A. Dorsey
Dated: May 30, 2019